

Cohen | When Republicans held up key court nominations

Steve Cohen, Guest columnist Published 2:00 p.m. CT Oct. 10, 2018



I read with interest [Sen. Lamar Alexander's recent op-ed](#) accusing Democrats, who are the minority party in the Senate, of delaying critical federal judicial nominations, including that of my former colleague state Sen. Mark Norris.

My friend Sen. Alexander's column immediately brought to mind Senate Republicans' refusal to confirm [Ed Stanton III](#) to become a U.S. District Court judge in the Western District of Tennessee.

Stanton, a graduate of the University of Memphis and its law school who was then serving as U.S. Attorney, was extremely well-qualified. He had previously served as senior counsel in Fed Ex's litigation department and had been the recipient of the Memphis Bar Association's distinguished Sam A. Myar Jr. Award.

In May of 2015, President Obama nominated Stanton to the federal bench. The Senate Judiciary Committee approved his nomination in October of that same year without a single opposing vote – and with 14 months remaining in Obama's second term -- yet he never received a floor vote.

In July 2016, Stanton's nomination was next in line for floor consideration when House Republican Majority Leader Mitch McConnell decided to there would be no more confirmation votes. It was a blow to the city of Memphis, where Stanton would have joined Judge John T. Fowlkes as a second African American on the West Tennessee federal bench, harkening back to the time the legendary Judge Odell Horton served with Judge Bernice Donald.

On July 13, 2017, President Trump nominated both Mark Norris and now-Judge Tommy Parker to the federal bench. I commended the choice of Judge Parker, a respected Memphis lawyer who was confirmed within six months, but feel he should be serving with Stanton, not filling his seat.

Sen. Norris, one 36 judicial nominees whose confirmations are pending after committee consideration, has not languished longer than Stanton, who waited more than 17 months before his nomination was ultimately discarded. Stanton was one of 52 Obama nominees for federal judgeships left in limbo when Trump was elected and never got a vote.

In the first five years of the Obama Administration, the Republican minority in the Senate filibustered 36 judicial nominees – as many as had been filibustered in the previous 42 years (1967-2009).

McConnell's unprecedented refusal to allow so much as a hearing for President Obama's last Supreme Court nomination is the most egregious example of obstruction.

Some Republican Senators refused even to meet with Judge Merrick Garland, a distinguished moderate on the D.C. Circuit Court, nominated in March 2016 to fill the vacancy caused by the death of Justice Antonin Scalia. Sadly, McConnell continues to boast about this decision. It was disrespectful to President Obama and was pure power politics.

Conversely, Trump's nomination of Neal Gorsuch to replace Justice Scalia took just 66 days.

Ed Stanton and Merrick Garland should be on the bench and would be were it not for McConnell's complete and total obstruction of Obama's nominees.

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U.S. Rep. Steve Cohen (Photo: Steve Cohen)